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EXAMINER
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ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

		Application No.		Applicant(s)	
Office Action Summary		09/505,674		NEWMAN ET AL.	
		Examiner		Art Unit	
		Thu Ha T. Nguyen		2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>17 February 2000</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-8,10,11,13-20,22 and 23</u> is/are rejected.

7)☐ Claim(s) <u>9, 12, 21, and 24</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .	
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)	
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4</u> .		6) ☐ Other: .	

DETAILED ACTION

1.   Claims **1- 24** are presented for examination.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

3.   Claims 1-8, 10-11, 13-21, and 22-23 are rejected under 35 U.S.C. § 103

(a) as being unpatentable over **Mendez et al.,** (hereinafter Mendez) U.S. Patent No.

5,961,590, in view of **Kennedy** U.S. Patent No. **6,330,589.**

4.   As to claim 1, **Mendez** teaches the invention substantially as claimed,

including a method for synchronizing e-mail messages for a user, comprising the steps

of:

(A) receiving, at an e-mail control at a local server, a plurality of e-mail messages

addressed to the user, from an external e-mail server (abstract, figures 8, 13, col. 12

lines 1-19, col. 17 lines 14-35);

(B) storing, by the e-mail control, each e-mail message of the plurality of e-mail

messages, in a consolidated e-mail storage at the local server (figures 8, 13, col. 12

lines 1-43, col. 17 lines 1-35);

(D) determining whether an e-mail message in the consolidated e-mail storage

has been deleted from the external e-mail server, and if so, then deleting the e-mail

message from the consolidated e-mail storage of the local e-mail server (figure 12, col.

12 lines 20-col. 13 lines 15, col. 35 lines 35-67).

However, **Mendez** does not explicitly teach the step of (C) storing, by the e-mail

control, a message identifier for each e-mail message, in message identifier storage at

the local server. **Kennedy** teaches the step of (C) storing, by the e-mail control, a

message identifier for each e-mail message, in message identifier storage at the local

server (figure 1, col. 8 lines 49-col. 9 lines 67, col. 11 lines 58-col. 12 lines 60, col. 20

lines 9-55, col. 26 lines 14-20). Note that when the message and message ID are

stored in the local store, it is obvious that in the local store have to have message

identifier storage to store message ID. It would have been obvious to one of ordinary

skill in the Data Processing art at the time of the invention to combine the teachings of

Mendez and Kennedy to have the step of storing a message identifier for each e-mail

message, in a message identifier storage at the local server because it would have an

efficient communication system that efficiently keeps track and maintains message

order of all messages that are downloaded from external server to local server and from

local server to client.

5.   As to claim 2, **M nd z** teaches the invention substantially as claimed,

further comprising performing steps (A), (B), and (D) for at least one next external e-

mail server (figures 8, 13). However, **Mendez** does not explicitly teach step (C),

Kennedy teaches step (C) for at least one next external e-mail server (figure 1, col. 6

lines 32-61). It would have been obvious to one of ordinary skill in the Data Processing

art at the time of the invention to combine the teachings of **Mendez and Kennedy** to

have the same motivation as set forth in claim 1.

6.   As to claim 3, **Mendez** teaches the invention substantially as claimed,

further comprising the step, responsive to a user command, of providing e-mail

messages from the consolidated e-mail storage, to the user (figure 8, col. 12 lines 1-28).

7.   As to claim 4, **Mendez** teaches the invention substantially as claimed,

wherein the consolidated e-mail storage includes storage for e-mail associated with

other users (figures 1, 8).

8.   As to claim 5, **Mendez** does not explicitly teach the step of comparing

message identifiers in the message identifier storage to message identifiers in e-mail

received from the external e-mail server. However, **Kennedy** teaches the invention

substantially as claimed, wherein the step of determining includes comparing message

identifiers in the message identifier storage to message identifiers in e-mail received

from the external e-mail server (col. 20 lines 9-55, col. 26 lines 14-20). It would have

been obvious to one of ordinary skill in the Data Processing art at the time of the

invention to combine the teachings of **Mendez and Kennedy** to have the same

motivation as set forth in claim 1.

9.   As to claim 6, **Mendez** teaches the invention substantially as claimed,

further comprising a step of the local server connecting to the external e-mail server, as

the user (figures 1, 8, 13).

10.   As to claim 7, **Mendez** teaches the invention substantially as claimed,

further comprising a step of requesting, from the external e-mail server, e-mail

messages for the user (figure 13, col. 15 lines 12-37).

11.   As to claim 8, **Mendez** does not explicitly teach the step of comparing

message identifiers in the message identifier storage to message identifiers in e-mail

received from the external e-mail server. However, **Kennedy** teaches the invention

substantially as claimed, wherein the determining step includes comparing the message

identifiers of e-mail on the external e-mail server to the message identifiers in the

message identifier storage (col. 20 lines 9-55, col. 26 lines 14-20). It would have been

obvious to one of ordinary skill in the Data Processing art at the time of the invention to

combine the teachings of **Mendez and Kennedy** to have the same motivation as set

forth in claim 1.

12.   As to claim 10, **M nd z** teaches the invention substantially as claimed,

including a method for synchronizing e-mail messages for a user, comprising the steps

of:

(A) a local server connecting to an external e-mail server, as the user; and

requesting e-mail messages for the user (figures 1, 8, 13, col. 15 lines 12-37);

(B) receiving, at an e-mail control at the local server, a plurality of e-mail

messages addressed to the user, from the external e-mail server (abstract, figures 8,

13, col. 12 lines 1-19, col. 17 lines 14-35);

(C) storing, by the e-mail control, each e-mail message of the plurality of e-mail

messages, in a consolidated e-mail storage at the local server, wherein the

consolidated e-mail storage includes storage for e-mail associated with other users

(figures 1, 8, 13, col. 12 lines 1-43, col. 17 lines 1-35);

(D) storing, by the e-mail control, a message identifier for each external e-mail

message, in a message identifier storage at the local server ();

(E) determining whether an e-mail message in the consolidated e-mail storage

has been deleted from the external e-mail server, including comparing message

identifiers in the message identifier storage to message identifiers in e-mail received

from the external e-mail server; and if so, then deleting the e-mail message from the

consolidated e-mail storage (figure 12, col. 12 lines 20-col. 13 lines 15, col. 35 lines 35-

67);

(F) responsive to a user command, providing e-mail messages from the

consolidated e-mail storage, to the user (figure 8, col. 12 lines 1-28); and

(G) wherein steps (B), (C) and (E) are performed for at least one next external e-

mail server ().

However, **Mendez** does not explicitly teach the step of (D) storing, by the e-mail

control, a message identifier for each e-mail message, in message identifier storage at

the local server and step (D) is performed for at least one next external e-mail server.

Kennedy teaches the step of (D) storing, by the e-mail control, a message identifier for

each e-mail message, in message identifier storage at the local server (figure 1, col. 8

lines 49-col. 9 lines 67, col. 11 lines 58-col. 12 lines 60, col. 20 lines 9-55, col. 26 lines

14-20). Note that when the message and message ID are stored in the local store, it is

obvious that in the local store have to have message identifier storage to store message

ID. In additional step (D) is performed for at least one next external e-mail server (figure

1, col. 6 lines 32-61). It would have been obvious to one of ordinary skill in the Data

Processing art at the time of the invention to combine the teachings of **Mendez and**

Kennedy to have the step of storing a message identifier for each e-mail message, in a

message identifier storage at the local server because it would have an efficient

communication system that efficiently keeps track and maintains message order of all

messages that are downloaded from external server to local server and from local

server to client.

13.   As to claim 11, **Mendez** does not explicitly teach comparing the message

identifiers of e-mail on the external e-mail server to the message identifiers in the

message identifier storage. However, **Kenn dy** teaches the invention substantially as

claimed, wherein the determining step includes comparing the message identifiers of e-mail on the external e-mail server to the message identifiers in the message identifier storage (col. 20 lines 9-55, col. 26 lines 14-20). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Mendez and Kennedy** to have the same motivation as set forth in claim 1.

14.   As to claim 13, **Mendez** teaches the invention substantially as claimed, including a system for synchronizing e-mail messages for a user, comprising:

(A) an e-mail control at a local server, for receiving a plurality of e-mail messages addressed to the user, from an external e-mail server (abstract, figures 8, 13, col. 12 lines 1-19, col. 17 lines 14-35);

(B) consolidated e-mail storage at the local server, accessed by the e-mail control, having each e-mail message of the plurality of e-mail messages (figures 1, 8, 13, col. 12 lines 1-43, col. 17 lines 1-35);

D) the consolidated e-mail storage having at least two states, including a first state having at least one e-mail message which has been deleted from the external e-mail server; and a second state having no e-mail message which has been deleted from the external e-mail server (figure 12, col. 12 lines 20-col. 13 lines 15, col. 35 lines 35-67). However, **Mendez** does not explicitly teach the step of (C) message identifier storage at the local server, accessed by the e-mail control, a message identifier for each external e-mail message. **Kenn dy** teaches the step of (C) message identifier storage at the local server, accessed by the e-mail control, a message identifier for each

external e-mail message (figure 1, col. 8 lines 49-col. 9 lines 67, col. 11 lines 58-col. 12

lines 60, col. 20 lines 9-55, col. 26 lines 14-20). It would have been obvious to one of

ordinary skill in the Data Processing art at the time of the invention to combine the

teachings of **Mendez and Kennedy** to have the step of storing a message identifier for

each e-mail message, in a message identifier storage at the local server because it

would have an efficient communication system that efficiently keeps track and maintains

message order of all messages that are downloaded from external server to local server

and from local server to client.

15.   As to claim 14, **Mendez** teaches the invention substantially as claimed,

wherein there are provided a plurality of external e-mail servers having e-mail

messages for the user (figures 1, 8).

16.   As to claim 15, **Mendez** teaches the invention substantially as claimed,

including a user command for providing e-mail messages from the consolidated e-mail

storage, to the user (figure 8, col. 12 lines 1-28).

17.   As to claim 16, **Mendez** teaches the invention substantially as claimed,

wherein the consolidated e-mail storage includes storage for e-mail associated with

other users (figures 1, 8).

18.   As to claim 17, **Mendez** does not explicitly teach the state is determined

on the basis of compared message identifiers in the message identifier storage to

message identifiers in e-mail received from the external e-mail server. However,

Kennedy teaches the invention substantially as claimed, wherein the step of

determining includes comparing message identifiers in the message identifier storage to

message identifiers in e-mail received from the external e-mail server (col. 20 lines 9-

55, col. 26 lines 14-20). It would have been obvious to one of ordinary skill in the Data

Processing art at the time of the invention to combine the teachings of **Mendez and**

Kennedy to have the same motivation as set forth in claim 13.

19.   As to claim 18, **Mendez** teaches the invention substantially as claimed,

wherein the local server is connected to the external e-mail server, as the user (figures

1, 8).

20.   As to claim 19, **Mendez** teaches the invention substantially as claimed,

wherein the e-mail messages that are received from the external e-mail server, are e-

mail messages for the user (abstract, figure 8).

21.   As to claim 20, **Mendez** does not explicitly the state is determined on the

basis of compared message identifiers of e-mail on the external e-mail server to the

message identifiers in the message identifier storage. However, **Kennedy** teaches the

invention substantially as claimed, wherein the state is determined on the basis of

compared message identifiers of e-mail on the external e-mail server to the message identifiers in the message identifier storage (col. 20 lines 9-55, col. 26 lines 14-20). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Mendez and Kennedy** to have the same motivation as set forth in claim 13.

22.   As to claim 22, **Mendez** teaches the invention substantially as claimed, including a system for synchronizing e-mail messages for a user, comprising:

A) an e-mail control at a local server, for receiving a plurality of e-mail messages addressed to the user, from an external e-mail server (abstract, figures 8, 13, col. 12 lines 1-19, col. 17 lines 14-35);

(B) consolidated e-mail storage at the local server, accessed by the e-mail control, having each e-mail message of the plurality of e-mail messages (figures 1, 8, 13, col. 12 lines 1-43, col. 17 lines 1-35);

(D) the consolidated e-mail storage having at least two states, including a first state having at least one e-mail message which has been deleted from the external e-mail server; and a second state having no e-mail message which has been deleted from the external e-mail server (figure 12, col. 12 lines 20-col. 13 lines 15, col. 35 lines 35-67);

(E) wherein there are provided a plurality of external e-mail servers having e-mail messages for the user (figures 7, 8, 13);

(F) a user command for providing e-mail messages from the consolidated e-mail

storage, to the user (figure 8, col. 12 lines 1-28);

(G) wherein the consolidated e-mail storage includes storage for e-mail

associated with other users (figure 8, elements 875 or 896); and

(H) wherein the state is determined on the basis of compared message identifiers

in the message identifier storage to message identifiers in e-mail received from the

external e-mail server ().

However, **Mendez** does not explicitly teach the step of message identifier

storage at the local server, accessed by the e-mail control, a message identifier for each

external e-mail message and wherein the state is determined on the basis of compared

message identifiers in the message identifier storage to message identifiers in e-mail

received from the external e-mail server. **Kennedy** teaches the step of message

identifier storage at the local server, accessed by the e-mail control, a message

identifier for each external e-mail message and wherein the state is determined on the

basis of compared message identifiers in the message identifier storage to message

identifiers in e-mail received from the external e-mail server (figure 1, col. 8 lines 49-col.

9 lines 67, col. 11 lines 58-col. 12 lines 60, col. 20 lines 9-55, col. 26 lines 14-20). It

would have been obvious to one of ordinary skill in the Data Processing art at the time

of the invention to combine the teachings of **Mendez and Kennedy** to have the step of

storing a message identifier for each e-mail message, in a message identifier storage at

the local server because it would have an efficient communication system that efficiently

keeps track and maintains message order of all messages that are downloaded from external server to local server and from local server to client.

23.   As to claim 23, **Mendez** does not explicitly teach the state is determined on the basis of compared message identifiers of e-mail on the external e-mail server to the message identifiers in the message identifier storage. However, **Kennedy** teaches the invention substantially as claimed, wherein the state is determined on the basis of compared message identifiers of e-mail on the external e-mail server to the message identifiers in the message identifier storage (col. 20 lines 9-55, col. 26 lines 14-20). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Mendez and Kennedy** to have the same motivation as set forth in claim 22.

Allowable Subject Matter

24.   Claims 9, 12, 21 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

25.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

26.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703)

305-7447. The examiner can normally be reached Monday through Friday from 8:30

AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, SPE Ayaz R. Sheikh, can be reached at (703) 305-9648.

Any inquiry of a general nature of relating to the status of this application should

be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding

is assigned are 703-746-7240 for regular communications and 703-746-7238 for After

Final communications.

Thu Ha Nguyen

December 9, 2002

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